

DECLARATION FOR PATENT APPLICATION

Docket: A-1704

As a below named inventor, I hereby declare that:

My residence post office address and citizenship are as stated below next to my name.

I believe I am the original first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled **METHOD AND APPARATUS FOR ATTACHING CONNECTIVE TISSUES TO BONE USING A SUTURE ANCHORING DEVICE** the specification of which (check one)

☒ is attached hereto
☐ was filed on _____
 as US Application Serial Number or PCT International Application Number _____
 and was amended on ____ (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the patentability as defined in 37 CFR § 1.56.

I hereby claim foreign priority benefits under 35 U.S.C. §119(a)-(d) or §365(b) of any foreign application(s) for patent or inventor's certificate, or §365(a) of any PCT International application which designated at least one country other than the United States, listed below and have also identified below any foreign application for patent or inventor's certificate, or PCT International application having a filing date before that of the application on which priority is claimed.

Prior Foreign Application(s) _____ Priority Not Claimed

 (Number) (Country) (Day/Month/Year Filed) []

I hereby claim the benefit under 35 U.S.C. §119(e) of any United States provisional application(s) listed below.

 (Application Number) (Filing Date)

I hereby claim the benefit under 35 U.S.C. §120 of any United States application(s), or §365(c) of any PCT International application designating the United States, listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States or PCT International application in the manner provided by the first paragraph of 35 U.S.C. §112, I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR §1.56 which became available between the filing date of the prior application and the national or PCT International filing date of this application.

 (Application Number) (Filing Date) (Status -patented, pending, abandoned)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Donald E. Stout, Reg. No. 34,493; Frank J. Uxa, Reg. No. 25,612; Robert D. Buyan, Reg. No. 32,460;
Kenton R. Mullins, Reg. No. 36,331; Jo Anne M. Ybaben, Reg. No. 42,243; Linda Allyson Fox, Reg. No. 38,883;
Quan Nguyen, Reg. No. 46,957

Address all telephone calls to Donald E. Stout at telephone number (949) 450-1750; facsimile number (949) 450-1764
 Address all correspondence to Donald E. Stout
Stout, Uxa, Buyan & Mullins, LLP
4 Venture, Suite 300
Irvine, CA 92618

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of sole or first inventor (given name, family name) Seth A. Foerster

Inventor's signature 
 Residence San Clemente, California
 Post Office Address 758 Via Otono, San Clemente, CA 92672

Date 6-5-01
 Citizenship U.S.A.

Full name of second inventor (given name, family name) Minh Tran

Inventor's signature 
 Residence Fountain Valley, California
 Post Office Address 10643 El Campo, Fountain Valley, CA 92708

Date 6-5-01
 Citizenship U.S.A.

Full name of third inventor (given name, family name) Norman S. Gordon

Inventor's signature 
 Residence Irvine, California
 Post Office Address 21 Snowapple, Irvine, CA 92614

Date 6/5/01
 Citizenship U.S.A.



UNITED STATES DEPARTMENT OF COMMERCE

Patent and Trademark Office

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Washington, D.C. 20231

AUGUST 28, 2001

PTAS

STOUT, UXA, BUYAN & MULLINS, LLP
DONALD E. STOUT
4 VENTURE, SUITE 300
IRVINE, CA 92618



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UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 06/07/2001

REEL/FRAME: 011900/0012
NUMBER OF PAGES: 5

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

FOERSTER, SETH A.

DOC DATE: 06/05/2001

ASSIGNOR:

TRAN, MINH

DOC DATE: 06/05/2001

ASSIGNOR:

GORDON, NORMAN S.

DOC DATE: 06/05/2001

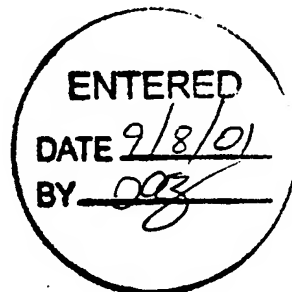
ASSIGNEE:

OPUS MEDICAL, INC.
27127 CALL ARROYO
SUITE 1924
SAN JUAN CAPISTRANO, CALIFORNIA

92675

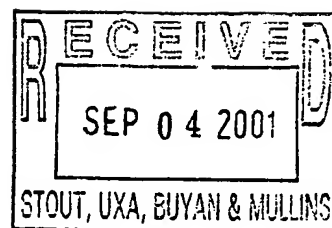
SERIAL NUMBER: 09876341
PATENT NUMBER:

FILING DATE: 06/07/2001
ISSUE DATE:



011900/0012 PAGE 2

SHARON BROOKS, EXAMINER
ASSIGNMENT DIVISION
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U.S. DEPARTMENT OF COMMERCE
Patent and Trademark Office

To the Honorable Commissioner of Patents



101755863

original documents or copy thereof.

JC971 U.S. PTO
09/876341

1. Name of conveying party(ies):

Seth A. Foerster, Minh Tran, Norman S. Gordon

Name:

Opus Medical, Inc.

Internal Address:

Additional name(s) of conveying party(ies) attached? ☐ Yes ☒ No

Street Address:

27127 Call Arroyo, Suite 1924
San Juan Capistrano, CA 92675

Additional name(s) & address(es) attached? ☐ Yes ☒ No

3. Nature of conveyance:

☒ Assignment

☐ Merger

☐ Security Agreement

☐ Change of Name

☐ Other: _____

Execution Date: 06/05/01

4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is: 06/05/01

A. Patent Application No. (s)

B. Patent No. (s)

09876341

Additional numbers attached? ☐ Yes ☒ No

5. Name and address of party to whom correspondence concerning document should be mailed:

Name: Donald E. Stout

Internal Address:

Street Address:

Stout, Uxa, Buyan & Mullins, LLP
4 Venture, Suite 300
Irvine, CA 92618

6. Total number of applications and patents involved:

1

7. Total fee (37 CFR 3.41).....\$ 40

☒ Enclosed

☐ Authorized to be charged to deposit account

8. Deposit account number: 13-5135

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Donald E. Stout
Name of Person Signing

Donald E. Stout
Signature

6/7/01
Date

5

Total number of pages including cover sheet, attachments and document:

Mail documents to be recorded with required cover sheet information to:
Commissioner of Patents & Trademarks, Box assignments
Washington, D.C. 20231

06/12/2001 MLAKEN1 00000029 09876341

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40.00 DP

WHEN RECORDED, RETURN TO:

Donald E. Stout
STOUT, UXA, BUYAN & MULLINS, LLP
4 Venture, Suite 300
Irvine, CA 92618

ASSIGNMENT

WHEREAS, we, SETH A. FOERSTER, MINH TRAN, and NORMAN S. GORDON all of the State of California, have invented certain new and useful improvements in for a have invented certain new and useful improvements in

**METHOD AND APPARATUS FOR ATTACHING CONNECTIVE TISSUES TO BONE
USING A SUTURE ANCHORING DEVICE**

for which the said SETH A. FORESTER has this 5th day of June, 2001,
executed application papers for United States Letters Patent thereon,

for which the said MINH TRAN has this 5th day of June, 2001,
executed application papers for United States Letters Patent thereon, and

for which the said NORMAN S. GORDON has this 5th day of June, 2001,
executed application papers for United States Letters Patent thereon; and

WHEREAS, OPUS MEDICAL, INC., a California corporation, hereinafter called Assignee, having its place of business at 27127 Calle Arroyo, Suite 1924, San Juan Capistrano, CA 92675, is desirous of acquiring our entire right, title and interest in and to the aforesaid invention and in and to any and all Letters Patent therefor granted in the United States of America, and in any and all countries foreign thereto;

NOW, THEREFORE, TO WHOM IT MAY CONCERN, be it known that, for and in consideration of the sum of ONE DOLLAR (\$1.00) to us in hand paid by Assignee, and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, we, SETH A. FOERSTER, MINH TRAN, and NORMAN S. GORDON by these presents sell, assign and transfer unto Assignee, its successors and assigns, the full and exclusive right, title and interest for the territory of the United States of America and all countries foreign thereto (including the right to apply for Letters Patent in foreign countries in its own name and to claim any priority rights for such foreign applications to which such applications are entitled under international conventions, treaties, or otherwise), in and to the said invention as described in said

application, and in and to all Letters Patent granted therefor, and all divisions, reissues and continuations thereof, and we hereby authorize and request the Commissioner of Patents and Trademarks to issue all Letters Patent on said inventions or resulting therefrom to said Assignee, as assignee of the entire right, title and interest, and we covenant that we have full right so to do and agree that we will communicate to said Assignee, or its successors any and all facts known to us regarding said invention whenever requested, sign all lawful papers, and generally do everything possible to aid said Assignee, its successors and assigns, to obtain and enforce proper patent protection for said invention in all countries.

Executed this 5th day of June, 2001



SETH A. FOERSTER

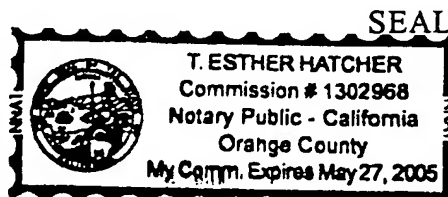
STATE OF CALIFORNIA /

COUNTY OF ORANGE /

On June 5, 2001, before me T. ESTHER HATCHER, Notary
notary public, personally appeared SETH A. FOERSTER personally known to me (or
proved to me on the basis of satisfactory evidence) to be the person(s) whose name(s)
is/are subscribed to the within instrument and acknowledged to me that he/she/they
executed the same in his/her/their authorized capacity(ies), and that by his/her/their
signature(s) on the instrument the person(s) or the entity upon behalf of which the
person(s) acted, executed the instrument.

Witness my hand and official seal.

Signature T. Esther Hatcher



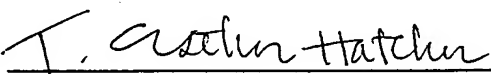
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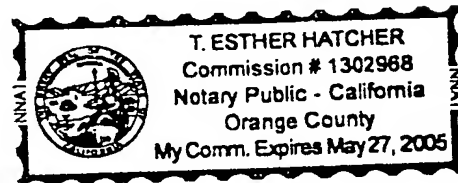

MINH TRAN

STATE OF CALIFORNIA /
 /
COUNTY OF ORANGE /

On June 5, 2001, before me T. Esther Hatcher, Notary,
notary public, personally appeared MINH TRAN personally known to me (or proved to
me on the basis of satisfactory evidence) to be the person(s) whose name(s) is/are
subscribed to the within instrument and acknowledged to me that he/she/they executed
the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on
the instrument the person(s) or the entity upon behalf of which the person(s) acted,
executed the instrument.

Witness my hand and official seal.

Signature 



SEAL

Executed this 5 day of June, 2001

Norman S. Gordon
NORMAN S. GORDON

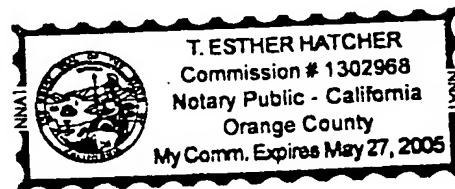
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person(s) acted, executed the instrument.

Witness my hand and official seal.

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SEAL